IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11437 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SHANTABEN NAGINBHAI

Versus

SURAT URBAN DEVELOPMENT AUTHORITY (SUDA)

Appearance:

1. Special Civil Application No. 11437 of 2001
MR KK TRIVEDI for Petitioner No. 1-2
MR MD PANDYA for Respondent No. 1
MR UR BHATT AGP for Respondent No. 2
MR DG CHAUHAN for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

Date of decision: 10/09/2004

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE B.J.SHETHNA)

Learned counsel Trivedi for the petitioner places on record the notification dated 2.9.2004 issued by the Urban Development and Urban Housing Department, State of Gujarat, Gandhinagar sanctioning the revised final development plan in which the land bearing block Nos.R.S.No.199/A and R.S.199/B of village Pal, taluka Choryasi, district Surat has been designated to the residential zone vide entry No.54 of the schedule in the notification which is no longer under the reservation, as per the final Development Plan, 1986. In view of the above, this petition has become infructuous and accordingly it is required to be disposed of.

However, it is open to the petitioners to approach the respondent-Surat Urban Development Authority for getting development permission. As and when such application is made by the petitioners to the respondent-Surat Urban Development Authority, the same may be considered and decided in accordance with law as early as possible by the respondent-authorities.

With these observations, this petition is disposed of as having become infructuous. Rule is discharged with no order as to costs.

(B.J.Shethna, J.)

(Sharad D. Dave, J.)

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